

# Notice of Allowability

Application No.

09/976,153

Examiner

Mussa A. Shaawat

Applicant(s)

ENOKI ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview 7/23/2007.
2. ☒ The allowed claim(s) is/are 1, 4-6 and 11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20070717.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 8/22/06, 3/8/2002
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

***Response to Amendment***

1. This action is in response to amendment filed May 22, 2007.

***Drawings***

2. Figures 1 through 3 have to be labeled "prior art" as recited in the specifications on page 2 lines 7-10

***Examiner's Amendment***

3. An Examiner's amendment to the record appears below. Should the changes and/or additions by unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such amendment, it must be submitted no later than the payment of the issue fee.

4. Authorization for this Examiner's amendment was given in a telephone interview with Darren Crew, Reg. No. 37,806 on July 23, 2007.

The application has been amended as follow

Claim 1 A POS system comprising:

at least one store server wherein said at least one store server comprises:

means for storing transaction data transmitted from each POS terminal,

means for receiving and executing a transaction cancel instruction from a first

POS terminal other than a second POS terminal at which a first transaction occurred,  
and

means for transferring said transaction cancel instruction to said second POS

terminal at which said first transaction occurred;

and

a plurality of POS terminals as clients to said at least one store server, wherein each of said plurality of POS terminals comprises:

means for inputting transaction data;

means for storing said transaction data as first transaction data relating to a transaction that occurred at ~~their own~~ at a first POS terminal;

means for transmitting said transaction data to ~~said store;~~ said at least one store server;

means for querying said at least one store server and requesting a second transaction data relating to a transaction that occurred at ~~another~~ a second POS terminal;

means for instructing said at least one store server to cancel the second transaction that occurred at said ~~other~~ second POS terminal;

means for executing a transaction cancel instruction received from said at least one store server to cancel a said second transaction that occurred at said ~~each~~ second POS terminal;

means for applying a correction to said queried second transaction data;

means for transmitting said corrected transaction data to said at least one store server as a third transaction data relating to a new transaction that occurred at ~~their own~~ said first POS terminal, said corrected transaction data being stored ~~in their own~~ at said first POS terminal as transaction data relating to said new transaction. [[.]]

~~wherein said store server comprises means for storing transaction data transmitted from each POS terminal, means for receiving and executing a transaction cancel~~

~~instruction from a POS terminal other than the POS terminal at which said transaction occurred, and means for transferring said transaction cancel instruction to said POS terminal at which said transaction occurred.~~

Claim 4 A POS system as claimed in claim 1, wherein, when a cancel instruction for a transaction is received from a POS terminal, said at least one store server stores cancellation information in an area of said storing means that corresponds to the POS terminal through which said transaction was originally registered.

Claim 5 A POS system as claimed in claim 4, wherein said at least one store server comprises means for totalizing sales by periodically searching through transaction data stored in said storing means.

Claim 6 A POS system as claimed in claim 5, wherein when said transaction cancellation information is stored in said storing means, said sales totalizing means in said at least one store server deducts said transaction from said totalized sales.

Claims 8-10 are (canceled)

Claim 11 A POS terminal comprising:

means for inputting transaction data;

means for storing said transaction data as first transaction data relating to a transaction that occurred at a first POS terminal;

means for transmitting said transaction data to said at least one store server;

means for querying said at least one store server and requesting a second transaction data relating to a transaction that occurred at a second POS terminal;

means for instructing said at least one store server to cancel the second transaction that occurred at said second POS terminal;

means for executing a transaction cancel instruction received from said at least one store server to cancel said second transaction that occurred at said second POS terminal;

means for applying a correction to said second transaction data;

means for transmitting said corrected transaction data to said at least one store server as a third transaction data relating to a new transaction that occurred at said first POS terminal, said corrected transaction data being stored at said first POS terminal as transaction data relating to said new transaction.

#### ***Reasons for Allowance***

5. The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art of record are Rogers et al, US Patent No. (5,978,774) referred to hereinafter as Rogers; Houvener et al, US Patent No. (6,016,480) referred to hereinafter as Houvener; and Whitman US PG Pub. No (US 2002/0019785 A1) referred to hereinafter as Whitman.

**Rogers** discloses a system wherein a general database is associated with the central computer system for storing transaction information (local transaction database) from a plurality of retailer computer systems. The local transaction database may include, for example, sales made by a particular store or sales made by several affiliated stores and is not necessarily co-located with the point of sale. In addition if a

customer seeks to return a product, the store associate searches the retailer's store-wide database by entering the product serial number. If the transaction is located in the store-wide database, the operator terminal of the retailer computer system displays the product description the purchase location, and purchase date.

**Houvener** discloses a system and method for return fraud prevention, which includes a point of return terminal having an input means for accepting, identifying information presented by a person returning at least one article of merchandise and has at least one display unit. The system is independent of the store or store chain where the return transaction is made. Thus the system is store independent and allows a remote, return transaction database to be accessible by any subscriber to system, which would allow for inter-store return transaction history records to be created, maintained and analyzed to detect fraudulent return activity patterns.

**Whitman** discloses a method and system for returning, including exchanging, items provided by remote providers, such as e-tailers, catalog sellers, and direct merchants. Returnees access the remoter provider servers or a returns server to initiate the return process. Data is received regarding the returnee and the item condition. A return ticket, including a coded identifier, is transmitted, based on the data received, along with locations of extension stores. The returnee returns the item to an extension store, which is connected via a network and the returns server to the remote provider servers. The coded identifier is read at the extension store, and communicated information regarding the item is used to determine return.

The prior art of record does not disclose or suggest "means for receiving and executing a transaction cancel instruction from a first POS terminal other than a second POS terminal at which a first transaction occurred, and means for transferring said transaction cancel instruction to said second POS terminal at which said first transaction occurred; means for querying said at least one store server and requesting a second transaction data relating to a transaction that occurred at another a second POS terminal; means for instructing said at least one store server to cancel the second transaction that occurred at said other second POS terminal; means for executing a transaction cancel instruction received from said at least one store server to cancel a said second transaction that occurred at said each second POS terminal; means for applying a correction to said queried second transaction data; means for transmitting said corrected transaction data to said at least one store server as a third transaction data relating to a new transaction that occurred at their own said first POS terminal, said corrected transaction data being stored in their own at said first POS terminal as transaction data relating to said new transaction.", as recited in independent claim 1. In addition, the prior art does not suggest or disclose, "means for inputting transaction data; means for storing said transaction data as first transaction data relating to a transaction that occurred at a first POS terminal; means for transmitting said transaction data to said at least one store server; means for querying said at least one store server and requesting a second transaction data relating to a transaction that occurred at a second POS terminal; means for instructing said at least one store server to cancel the second transaction that occurred at said second POS terminal; means for

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executing a transaction cancel instruction received from said at least one store server to cancel said second transaction that occurred at said second POS terminal; means for applying a correction to said second transaction data; means for transmitting said corrected transaction data to said at least one store server as a third transaction data relating to a new transaction that occurred at said first POS terminal, said corrected transaction data being stored at said first POS terminal as transaction data relating to said new transaction." as recited in claim 11. For these reasons independent claim 1 and 11 deemed to be allowable over the prior art of record, and claims 4-6 are allowable by dependency.

A search for non-patent literature and foreign prior art was conducted, however, no relevant references were found.

6. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

#### ***Contact Information***

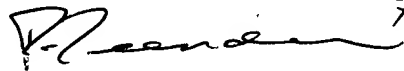
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mussa A. Shaawat whose telephone number is 571-272-2945. The examiner can normally be reached on Mon-Fri (8am-5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mussa Shaawat  
Patent Examiner  
July 24, 2007

 7/30/07  
F. RYAN ZEENDER  
SUPERVISORY PATENT EXAMINER